

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 19, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 19, 2010, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR PRO TEM RUSHTON CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Steve Vincent

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT: Mike Winder

STAFF PRESENT:

Richard Catten, City Attorney
Nicole Cottle, CED Director
Layne Morris, Community Preservation Director
Russell Willardson, Public Works Director
Jim Welch, Finance Director
John Evans, Fire Chief
Anita Schwemmer, Acting Police Chief
Steve Pastorik, CED Department
Kevin Conde', Administration
Craig Thomas, Administration
Owen Jackson, Administration
Jake Arslanian, Public Works Department

14793 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks who told about meeting many people from across the country recently and noticing many of them said they were from the largest city near their community. He pointed out many people living in West Valley City did likewise. He stated he was proud to live in this community.

14794 **SCOUTS**

Mayor Pro Tem Rushton welcomed Scout Troop No. 1034 and Varsity Scouts in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

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14795 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 5, 2010**

The Council read and considered the Minutes of the Regular Meeting held January 5, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Regular Meeting held January 5, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

14796 **CRAIG THOMAS, NEIGHBORHOOD SERVICES – PRESENTATION OF NATIONAL NIGHT OUT AWARD TO WEST VALLEY CITY**

Craig Thomas, Neighborhood Services, presented the National Night Out Award to West Valley City. Mr. Thomas stated that for the sixth consecutive year West Valley City had been selected by the National Association of Town Watch as a National Award Winner for its outstanding participation in the 26th Annual National Night Out (NNO) crime, drug and violence prevention program.

Mr. Thomas advised this year's event involved 36.7 million people in 14,625 communities. Locally, it was estimated that 6,000 residents had attended. He also reviewed information summarized as follows:

- 30 National Night Out block parties held on Tuesday, August 4, 2009
- Five block parties held on other nights in August, 2009
- Four Safety Fairs held throughout August, 2009
- Five Neighborhood Watch meetings
- Three crime prevention training meetings

He stated this year also marked an increase in community partners up from eight in 2008 to 12 in 2009. He indicated the award was given for joint efforts of the City and residents to combat crime in neighborhoods. Mr. Thomas stated the National Association of Town Watch saluted West Valley City and its community members for a job well done.

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The City Council congratulated and expressed appreciation to City staff and the neighborhood groups for their efforts on behalf of the City. Mayor Pro Tem Rushton accepted the award on behalf of the City Council.

14797

COMMENT PERIOD

Upon inquiry by Mayor Pro Tem Rushton, the following individuals addressed the City Council during the comment period:

Kevin Fayles, 4339 S. Wildrose Drive, addressed the City Council. Mr. Fayles stated he was respectfully requesting the City Council to deny the part-time mayor use of a car. He stated only one mayor in 30 years used a City car and that had been due to the City Manager being deployed overseas in military service. He indicated those challenges were behind the City and in his opinion the car should have been taken back when the City Manager returned. He related his findings when researching what other cities with part-time mayors did regarding a car allowance or use of city vehicle. He indicated the Salt Lake Tribune reported regarding the Council's discussion last week and had been critical of the City, as were the online comments. He further stated in these tough economic times, the Council should reconsider this issue.

Fynbo (no first name given), 4160 West 3830 South, addressed the City Council. He inquired if the City Council or staff had received any non-moving violations. He read language on a citation and discussed procedure to be followed in taking care of the citation. He suggested the procedure should be changed. He stated he received the citation on a day with a big snowstorm. He had tried to schedule a hearing the next day but had to go through a metal detector when entering the court building. He indicated the citation stated he must appear in person but staff told him he could call. He stated the citation issued on December 8, 2009, and he tried two times to handle it in person, however, by December 14, 2009, he was told the citation had not yet been filed. He indicated he was given a number to call by staff but no instructions or phone number was listed on the citation. He inquired if the citation is issued why it took so long to file it.

14798

PUBLIC HEARING, APPLICATION NO. GP-1-2009, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND THE WEST VALLEY CITY GENERAL PLAN TO UPDATE THE HUNTER TOWN CENTER SMALL AREA PLAN AND SUPPORT CHANGES TO THE GENERAL PLAN MAP AND TEXT

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. GP-1-2009, filed by West Valley City, requesting to amend the West Valley City General Plan to update the Hunter Town Center Small Area Plan and support changes to the General Plan map and text. He discussed proposed Ordinance No. 10-02 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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Acting City Manager, Paul Isaac, presented proposed Ordinance No. 10-02 which would adopt the Hunter Town Center Small Area Plan and approve supporting changes to the General Plan map and text.

Mr. Isaac stated the Hunter Town Center Small Area Plan addressed the area between approximately 3300 South and 3700 South and between approximately 5500 West and 5700 West. He advised the current General Plan included the following actions:

- Identify small areas to begin preparing specific plans to provide more detail for orderly growth and appropriate development. Areas that may be aided by such small area master plans include Chesterfield, transit station areas, as well as the Redwood Road, 5600 West and 3500 South corridors. These master plans should complement the General Plan while providing greater land use detail and urban design criteria to guide the adoption of zoning that will help the particular area to achieve anticipated or desired changes.
- Develop small area plans as time and resources permit for specific corridors or other areas in the City where specific design standards are desired.

Mr. Isaac reported to begin implementation of these recommended actions, staff began working with the Planning Center, a planning consulting firm, in the later part of 2008, to develop a small area plan for the area around the intersection of 5600 West and 3500 South. During the planning process, this area had been named Hunter Town Center. He further indicated the Planning Center had been paid by UDOT, as UDOT had an interest in promoting transit-oriented development (TOD) along 5600 West due to the planned bus rapid transit (BRT) along 5600 West and 3500 South.

The Acting City Manager stated there were essentially three recommended changes to the General Plan as part of this application: the first to adopt the Hunter Town Center Small Area Plan; the second to amend the text of the current General Plan to reference and integrate with the Hunter Town Center Small Area Plan; and third to amend the current General Plan map to reference and integrate with the Hunter town Center Small Area Plan Map. He advised members of the City Council that each of the three changes were fully described in Exhibits A, B and C attached to the proposed ordinance.

Mayor Pro Tem Rushton opened the public hearing.

LaDene Nickels, 5348 West 3500 South, addressed the City Council. Ms. Nickels inquired regarding details of the plan and if it would affect her property.

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Joanelle Evans, 3750 South 5450 West, addressed the City Council. Ms. Evans stated she and many of her neighbors had attended the Planning Commission meeting held the previous month. She also stated she heard the vote at the Planning Commission meeting and the information posted on the City's website did not match what was heard. She discussed certain details in the plan and requested clarification. She expressed concerns regarding footpaths or roads being constructed behind her property. She also requested the Council postpone action regarding this matter as there were some issues to be clarified or resolved and none of her neighbors had been invited to any of the planning meetings. She indicated she and her neighbors did not want any changes to their road which was very rural in nature. She stated residents on her street would like the opportunity to give input and have their questions answered.

Upon inquiry by members of the City Council, Acting City Manager, Paul Isaac, directed Steve Pastorik, CED Department, to review the Planning Commission discussion, including maps both current and proposed, and the proposed plan. Mr. Pastorik also answered questions from members of the City Council. He clarified the connection to 5450 West had been taken out per the Planning Commission's motion. Mr. Isaac answered additional questions from members of the City Council.

Mr. Pastorik addressed the City Council and provided background information regarding the areas and residents included in the process prior to the Planning Commission public hearing. He stated there was no statutory requirement for notification early in the process but all requirements had been followed in noticing for the Planning Commission and City Council hearings. A map of the subject area was displayed and Mr. Pastorik explained the uses, roads, pedestrian connections, and other information in each of the color-coded and numbered areas.

Julene Fisher, 3760 South 5450 West, addressed the City Council and stated 5450 West was an integral part of the area. She also stated some of the people on that street should have been included in the planning process. She indicated she lived on the south end of the street and had been mailed a letter for the Planning Commission hearing, but most of her neighbors had not received the notification. She questioned the system for informing people and as a participant last time she stated she should have been informed this time. She stated that after much effort she found information on the City's website. She stated 5450 West was as rural as you get in West Valley City and she desired to keep it that way. She stated she did not want to see a path or a road. She indicated residents were used to open spaces and in the future would have to deal with a wall or fence, footpath which needed to be lighted to be safe, and there might be a street adjacent to their property which would be worse. She explained residents on this street deserved more consideration than had been given. She stated the City needed to do a better job of

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notifying residents, as they should not have to find out about such things on their own.

Sara Cutler, 3760 South 5450 West, addressed the City Council. Ms. Cutler stated, like her mother who spoke previously, she did not know this was going on. She inquired where the next meeting would take place to stop the town center. She indicated there was not a need for any more fast food establishments such as on 5600 West, this was a rural area and this plan was not necessary. She inquired about the next meeting to stop the pathway.

Bart Anderson, 5340 West 3500 South, addressed the City Council. Mr. Anderson stated he was the water master and director of the Utah/Salt Lake Canal. He also stated he had been involved with many projects over the years. He indicated many folks on 5200 West appreciated the work in that area. He stated there were some problems with storm drains in the area. He also stated people living on 5450 West wanted to maintain the rural aspect, but there were other issues to be considered.

Dan Sperry, 3633 South 5600 West, addressed the City Council and stated he had not received a letter regarding the Planning Commission meeting. He indicated he lived in the area marked as number two on the map. Mr. Sperry was then directed to contact City staff.

Stacia Ireland, 3750 South 5450 West, addressed the City Council. Ms. Ireland stated she had the minutes of the Planning Commission meeting and she read the motion aloud. She expressed confusion regarding street and pedestrian access could have been caused by the Planning Commission motion.

Upon inquiry, Steve Pastorik, CED Department, addressed the City Council and discussed how City staff interpreted the Planning Commission's entire discussion and motion regarding the street and pedestrian access.

Leslie Anderson, 3780 South 5450 West, addressed the City Council. Ms. Anderson inquired regarding the purpose of one of the areas on the map. She also discussed concern regarding negative impacts on the neighbors and expressed frustration at not receiving notices so they could be involved in the process.

Mayor Pro Tem Rushton offered clarification this was a long-range master plan for this area.

Mitch Bell, 3564 South 5450 West, addressed the City Council. Mr. Bell stated the map shown was not accurate so the footpath would be very close to his home.

Mayor Pro Tem Rushton explained this was a general plan proposal, or vision, for the area and a footpath would be a totally separate issue.

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Steve Pastorik, CED Department, addressed the City Council and answered questions from members of the City Council.

Councilmember Burt expressed concerns regarding certain language in the design guidelines, especially regarding height of buildings in the transit oriented development (TOD) area.

Councilmember Brooks inquired if it would be beneficial to meet with residents again to give them an opportunity to have their questions answered and give input prior to the Council's making a decision. Steve Pastorik, CED Department, stated staff would have no problem with meeting with residents. Councilmember Brooks suggested those in attendance be notified and tell others in the neighborhood regarding such a meeting so all could participate, if desired.

Councilmember Vincent expressed the need to have a plan in place so development was accomplished in such a way that it flowed and was part of a vision so developers could not just build strip malls and such.

There being no one else to speak either in favor or in opposition, Mayor Pro Tem Rushton closed the public hearing.

ACTION: ORDINANCE NO. 10-02, ADOPTING THE HUNTER TOWN CENTER SMALL AREA PLAN AND APPROVING SUPPORTING CHANGES TO THE GENERAL PLAN MAP AND TEXT

The Council previously held a public hearing regarding Application No. GP-1-2009, filed by West Valley City, requesting to amend the West Valley City General Plan to update the Hunter Town Center Small Area Plan and Support Changes to the General Plan Map and text, and proposed Ordinance No. 10-02 which would adopt the Hunter Town Center Small Area Plan and approve supporting changes to the General Plan Map and text.

After discussion, Councilmember Vincent moved to table proposed Ordinance No. 10-02 and continue action until after a meeting was scheduled and held with City staff and affected residents. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

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Unanimous. Proposed Ordinance No. 10-02 tabled to no date certain.

14799

RESOLUTION NO. 10-07, AUTHORIZE WEST VALLEY CITY TO PURCHASE RADIO COMMUNICATION SYSTEMS AND EQUIPMENT FROM MOTOROLA FOR USE BY THE POLICE DEPARTMENT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 10-07 which would authorize West Valley City to purchase radio communication systems and equipment from Motorola for use by the Police Department.

Mr. Isaac stated the five dual control mobile radios and five hand held radios would be utilized in the Watch Commander vehicles to increase their ability to effectively communicate to multiple officers/agencies by giving them access to additional radios/controls. He advised vehicle radio chargers would be purchased for every officer giving them the ability to charge their hand held radios in the police vehicle.

The City Manager advised formal bidding would not be required because this vendor, Motorola, held a contract with the State of Utah. He stated the Police Department had obtained a grant allowing them to update and equip the named vehicles with the necessary equipment to respond to major incidents and have the necessary equipment in the vehicles to manage those incidents.

After discussion, Councilmember Christensen moved to approve Resolution No. 10-07, a Resolution Authorizing West Valley City to Purchase Radio Communication Systems and Equipment from Motorola for use by the Police Department. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 19, 2010, WAS ADJOURNED AT 7:44 P.M., BY MAYOR PRO TEM RUSHTON.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, January 19, 2010.

Sheri McKendrick, MMC
City Recorder